

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION AT LAFAYETTE

IN RE:)	
PALMER, Mark Andrew)	CASE NO. 08-40264-reg-13
2573 Massasoit Lane)	
Lafayette, IN 47909)	
PALMER, Desiree Ann)	
a/k/a Desiree Ludberg)	
2573 Massasoit Lane)	
Lafayette, IN 47909)	
Debtors)	

ORDER GRANTING RELIEF FROM STAY AND/OR ABANDONMENT

U.S. Bank, N.A. 's ("Secured Creditor"), Motion For Relief From Stay and/or Abandonment
Because Plan Proposes to Surrender Property, having come before the Court,

And the Court having examined said Motion and being duly advised in the premises, and having found that the Debtors herein have failed to make payments pursuant to the Chapter 13 Plan, being in material default and failing to adequately protect U.S. Bank, N.A. 's interest, and having found that said failure to make payments constitutes sufficient cause for relief from stay.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, by the Court that the automatic stay be, and it hereby is, lifted as to U.S. Bank, N.A. , its successors and assigns, to allow U.S. Bank, N.A. , its successors and assigns, to enforce its rights and remedies under applicable law, including, without limitation, proceeding with a foreclosure action on the following described real estate located in Tippecanoe County, Indiana:

LOT NUMBER 50 IN BENJAMIN CROSSING PLANNED DEVELOPMENT, SECTION 1, AN ADDITION TO WEA TOWNSHIP, COUNTY OF TIPPECANOE, IN THE STATE OF INDIANA, AS PER PLAT THEREOF, RECORDED MARCH 7, 2003, AS INSTRUMENT NO. 03009184, IN PLAT BOOK 11, PAGE 228, AMENDED BY AMENDED PLAT RECORDED DECEMBER 22, 2003, AS INSTRUMENT NO. 03050137, IN PLAT BOOK 11, PAGE 239, AND CORRECTED BY CORRECTIVE AMENDED FINAL PLAT, RECORDED FEBRUARY 23,

**2004, AS INSTRUMENT NO. 04004355, IN PLAT BOOK 11, PAGE 244,
ALL IN THE OFFICE OF THE RECORDER OF TIPPECANOE COUNTY,
INDIANA.**

Commonly known as: **2573 Massasoit Lane, Lafayette, IN 47909.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that said real estate is abandoned from the bankruptcy estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that such Order shall bind Debtors in any conversion of the above-entitled bankruptcy proceeding, as to the interest of U.S. Bank, N.A. , its successors and assigns, in the above-described property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the ten (10) day stay of the order imposed by Bankruptcy Rule 4001(a) (3) be waived

/s/ Robert E. Grant

JUDGE, UNITED STATES BANKRUPTCY COURT

DATED: October 23, 2009

DISTRIBUTION TO:

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Jerry L. Paeth, 309 North Fifth Street, Lafayette, IN 47901
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U.S. Trustee, One Michiana Square, 5th Floor, 100 East Wayne St., South Bend, IN 46601